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Date: December 10, 2003

By:

Kay L. Gaviglio

PATENT

Docket No. GC369-2A-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Diaz-Torres, Maria et al.)	Group Art: 1652
)	
Serial No.: 09/308,207)	Examiner: M.A. Walicka, Ph.D
)	
Filed: May 13, 1999)	
)	
For: Method for Recombinant)	
Production of 1,3-Propanediol)	

Information Disclosure Statement

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449 and attached thereto) of which they are aware, that they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR §1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry into the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.
- (d) ☒ is filed after the first Office Action and more than three months after the

application filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$220) set forth in 37 CFR §1.17(p). Authorization to charge Deposit Account No. 07-1048 in the amount of \$220.00 to cover the cost of this Information Disclosure Statement is provided in the Transmittal Letter submitted herewith in triplicate.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by authorization (in the Transmittal Letter submitted herewith in duplicate) to charge Deposit Account No. 07-1048 the fee (\$180) set forth in 37 CFR §1.17(l)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the Supplemental Information Disclosure Statement.**

The undersigned certifies that:

A copy of the items on Form PTO-1449 is supplied:

☒ each ☐ none ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) on the attached Form PTO-1449 are not supplied because they were previously cited by or submitted to the Office in a prior application, Serial No. 08/969,683 filed November 13, 1997, and relied upon in this application for an earlier filing date under 35 USC 120.

A concise explanation of relevance of the items listed on PTO-1449 is:

☒ not given

☐ given for each listed item

☐ given for only non-English language listed item(s)

☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references. Also note that references from category "A," considered for background only and not particularly relevant, are not submitted.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention." MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,



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Date: December 10, 2003

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INFORMATION DISCLOSURE CITATION

Attorney Docket No.: GC369-2A-US	Serial No.: 09/308,207
Applicant: Diaz-Torres et al.	
Filing Date: May 13, 1999	Group: 1652
Page 1 of 2	Date of this Submission: December 10, 2003

US PATENT DOCUMENTS

Examiner's	Document				Sub-	Filing
Initial	Number	Date	Name	Class	Class	Date
	*5,633,362	05/27/97	Nagarajan et al.			
	*5,686,276	11/11/97	Laffend et al.			

FOREIGN PATENT DOCUMENTS

Examiner's	Document				Sub-	Translation
Initials	Number	Date	Country	Class	Class	Yes/No
	*WO 96/35795	14/11/96	PCT			
	*WO 96/35796	14/11/96	PCT			
	EP 0373230	17/02/93	EP	C12P 7/18		
	*DE 3634764	10/11/86	German			No
	WO 98/21341	05/22/98				

OTHER DOCUMENTS

Examiner's	
Initials	Author, Title, Date, Pertinent Pages, etc.
	*Albertyn et al., <i>Mol. Cell. Biol.</i> 14, 4135-4144, (1994)
	*Ben-Amotz et al., <i>Experientia</i> 38, 49-52, (1982)
	*Bobik et al., 1992, <i>J. Bacteriol.</i> 174:2253-2266
	*Daniel et al., "Purification of 1,3-Propanediol Dehydrogenase from <i>Citrobacter freundii</i> and Cloning, Sequencing, And Overexpression of the Corresponding Gene in <i>Escherichia coli</i> ," Year????
	*Larason et al., <i>Mol. Microbiol.</i> 10, 1101, (1993)
	*Luers, 1997, <i>FEMS Microbiology Letters</i> 154:337-345
	*McGee et al., 1982, <i>Biochem. Biophys. Res. Comm.</i> 108:547-551
	*Norbeck et al., <i>J. Biol. Chem.</i> 271, 13875, (1996)
	*Seyfried et al., "Cloning, Sequencing, and Overexpression of the Genes Encoding Coenzyme B ₁₂ -Dependent Glycerol Dehydratase of <i>Citrobacter freundii</i> ," <i>J. Bacteriol.</i> , V. 178 (19), pp. 5793-5796, October 1996

Examiner	Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE CITATION

Attorney Docket No.: GC369-2A44	Serial No.: 09/308,207
Applicant: Diaz-Torres et al.	
Filing Date: May 13, 1999	Group: 1652
Page 2 of 2	Date of this Submission: December 10, 2003

US PATENT DOCUMENTS

Examiner's	Document				Sub-	Filing
Initial	Number	Date	Name	Class	Class	Date

FOREIGN PATENT DOCUMENTS

Examiner's	Document				Sub-	Translation
Initials	Number	Date	Country	Class	Class	Yes/No

OTHER DOCUMENTS

Examiner's	
Initials	Author, Title, Date, Pertinent Pages, etc.
	*Skraly, F.A., 1997, Thesis entitled "Metabolic Engineering of an Improved 1,3-Propanediol Fermentation, pg. 53-84
	*Steib et al., <i>Arch. Microbiol.</i> 140, 139 (1984)
	*Tobimatsu et al., "Molecular cloning, sequencing, and expression of the genes encoding adenosylcobalamin--dependent diol dehydrase of <i>Klebsiella oxytoca</i> ," <i>J. Biol. Chem.</i> , V. 270, pp. 7142-7148 1995
	*Tobimatsu et al., "Cloning, sequencing and high level expression of the genes encoding adenosylcobalamin--dependent glycerol dehydrase of <i>Klebsiella pneumoniae</i> ," <i>J. Biol. Chem.</i> , V. 271, No. 37, pp. 22352-23357 1996
	*Tong et al., <i>Appl. Biochem. Biotech.</i> 34, 149 (1992)
	*Tong, et al., "1,3-propanediol production by <i>Escherichia coli</i> expressing genes from the <i>Klebsiella pneumoniae</i> dha regulon," <i>Applied and Environmental Microbiology</i> , V. 57, pp. 3541-3547 1991
	*Veiga DA Cunha et al., <i>J. Bacteriol.</i> 174, 1013 (1992)
	*Wang et al., <i>J. Bact.</i> 176, 7091-7095 (1994)
	*Willard, B. L. Sptrembl9 database, Accession number 059474
	*Willard, B. L. Sptrembl9 database, Accession number 048422
	*Willard, B. L. Sptrembl9 database, Accession number 048423
	*Willard, "Investigation of the <i>Klebsiella pneumoniae</i> 1,3-propanediol pathway: Characterization and expressin of glycerol dehydratase and 1,3-propanediol oxidoreductase" Thesis, University of Wisconsin-Madison 1994
Examiner	Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.
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